

ADVERTISEMENT



Unsurpassed Mineral Water

Lane, of Oregon, declared that Senator Hughes had signed it twice.

Complete Union Victory.

The legislation is a complete victory for the unions. Whatever was contemplated in the way of ameliorating provisions for the railroads—embodied in the Underwood amendment—was stricken out in the rush to comply with the union ultimatum in order to avert the strike. The bill on its face is but a temporary expedient, but that feature of it causes not the slightest worry to the brotherhood officials. It is a recognized fact not only among the unions but among the railroad executives, that what these organizations once get they never surrender.

The four provisions of the law are these:

(1) Eight hours shall be the standard of work and of wages beginning January 1, 1917.

(2) The train service employees, union and non-union—in fact, every one who has anything to do with the movement and operation of trains—shall receive ten hours' pay for eight hours' work, and pro rata pay for overtime.

(3) A commission of three to be appointed by the President shall investigate the operation of the new schedule and report to Congress within ten months.

(4) A penalty is prescribed for violations of the provisions of the act on the part of the railroads.

Debate Shows Union Domination.

The debate in the Senate to-day showed even more clearly than did yesterday's discussion how absolutely the unions dominated the situation. The four brotherhood chiefs who had maintained headquarters yesterday in the Ways and Means Committee, on the House side, to-day transferred their activities to the Senate Indian Affairs Committee room, just above the Senate gallery. They directed the fight, as far as direction was in their hands, from this room until about an hour before the time set for the Senate to vote on the bill.

When it was all over and the gallery applause had subsided, Austin L. Garretson, the tall, rangy spokesman for the unions, came around to the press gallery and told the correspondents that the strike order would not be rescinded until the act just passed had become a law. In spite of the fact that the brotherhoods had won hands down they would take no chance on a ship. It seemed more certain than ever that if something intervened to prevent the enactment of the law, the trainmen throughout the country would quit at 7 o'clock on Monday morning.

Garretson in Positive Mood.

"The strike order will be recalled," said Mr. Garretson, with finality, "when the act just passed has become a law." President of the United States puts his name to it. When this bill becomes a law the strike will be as dead as Lazarus."

"Suppose," he was asked, "that the bill is not signed before 7 o'clock on Monday?"

"I am not assuming or supposing," replied Mr. Garretson, "that the government officials will not sign the measure before Monday morning. I am assuming that the President and the Senate and the House will use the same diligence that they have used. I should very much regret if any of the brotherhood members should fail to get word in time."

Throughout the day Republican Senators, though they admitted that the passage of the eight-hour law was the only way to avert the impending strike, still branded it as a piece of blind legislation. Senator Gallinger declared

that Congress was acting like the Mexican Congress acts when the President of Mexico, with an army at his back, demands that his bills be enacted.

Simply an Anesthetic.

Senator Vardaman replied that the bill was simply an anesthetic for a suffering patient. Senator Sherman asserted that he would rather be a dog and bay at the moon than submit to such dictation. And it was Senator Borah's declaration that Congress was losing both its honor and its dignity. But in spite of the heaving and hawing, the wincing and excusing, the Senate proceeded steadily to the hour appointed for the vote that nobody doubted would pass the measure. Several amendments were offered during the day, but they stood a hopeless chance even of due consideration. The only one that received a comparatively fair amount of discussion was that fought for by Senator Underwood. Senator Underwood replied continuously to objections against his proposal which would have provided a permanent solution of the problem confronting Congress.

Wants Fair Settlement.

"This bill," said Senator Underwood, "without this amendment is an abandonment of the court of arbitration. Congress will be paying the price of peace without trying affirmatively to solve this great question. I maintain that there must be a fair solution of this question—a solution fair to all the railroad employees, fair to the railroads and fair to the shipping interests and the public."

Senator Newlands also rose to the defense of this permanent suggestion. He favored the amendment, he said, because the President had recommended that the employees should receive ten hours' pay for eight hours' work, but also that provision should be made for something to deal with the future of the problem. Senator Reed, future of the problem, the most steadfast opponent of the Underwood amendment on the Democratic side of the House. He voiced the fear that every one in the Senate felt in his heart.

Reed Voices the Fear.

"My information," said Senator Reed, "is that unless this bill is passed in time so that word can be sent all over the country before Monday the strike will occur. When the House bill is passed and signed by the President the strike will be called off. We must either pass the House bill without amendment or it cannot be passed here next Monday. It is not a question of whether it is right or wrong; it is a question of whether we are going to take a chance. The addition of a word will mean that the strike cannot be averted."

"It is a humiliating admission," retorted Senator Brandegee from the Republican side, "that we have just heard from the Senator from Missouri, the House, having been forced to pass the bill, we are told that we must accept it as they accepted it, without crossing a 't' or dotting an 'i'."

Machinery Well Oiled.

The time had come, however, for a vote on Senator Underwood's proposition. The machinery of the rollcall worked rapidly and smoothly.

In less than five minutes the amendment had been defeated by a vote of 36 to 14. Few of the Democrats voted for it. Next in rapid succession came the Newlands amendment providing a penalty that some Senators on the Republican side feared might be construed to include an obstruction of traffic. This amendment also was snuffed out by the vote of 52 Senators against 14. A substitute bill offered by Senator Norris, of Nebraska, was defeated without a rollcall.

La Follette Beaten Badly.

When there was less than half an hour left before the time set for the final rollcall Senator La Follette, who hurried back from Wisconsin to take part in the proceedings, offered an amendment to the House bill, inserting a clause providing that the House bill should not be construed with the present 10-hour law. Senator Brady, of Idaho, who startled his associates by the use of the most peppery speeches of his career, supported Senator La Follette. It was a hopeless endeavor. Five minutes before 6 o'clock the La Follette amendment was lost by a vote of 44 to 20.

It took less than five minutes to jam through the House bill. The rollcall began at two minutes before the hour. It was over three or four minutes after, immediately the bill was rushed to the House wing for the signature of Speaker Clark. It came back in a jiffy, but in the meantime Senator Clarke, who earned the title of "Submarine Jim" because last year he suddenly took the lead of seven Democratic Senators and killed the ship purchase bill, had abdicated his place in favor of Senator Hughes.

Mix-up Followed.

Then came the mix-up. After the clerk had read Senator Hughes's au-

thorization to preside, Senators Penrose and Brandegee rose to the question of whether or not Senator Hughes had signed the measure before or after he was authorized to sign it. A dozen Senators had crowded about the rostrum. Senator Hughes nervously fumbled the pen and refused to be re-examined. He was not sure himself. Then Senator Lane chirped up his comment that the temporary president had signed it twice. Senator Penrose showed his pique by curtly requiring the clerks at all kinds of things might happen to prevent the President signing the bill before Monday morning.

"His train might be wrecked," said Mr. Lee. "It might die in the mean time. Anything might happen. Somebody might spill all the ink in Washington. You never can tell."

Garretson Wouldn't Yield.

Mr. Garretson took the same stand. He was reminded that a Sunday and a legal holiday followed to-day. But he refused to make any assumptions.

"How much time," he was asked, "will it take to notify all the brotherhood members?"

"The president and general managers of the Postal and Western Union companies can tell you that better than I can. Six hundred and forty messages will be sent out by us, and they will make an endless chain. I should estimate that there will be about 10,000 messages altogether."

"Well, to-morrow is Sunday," somebody interposed.

"I never found the Sabbath to be a worse day than any other. It makes not the slightest difference to me whether the President signs it on Sun-

Republican Senators Bait the Democrats for Yielding

Insisting that the brotherhood chiefs would have been compelled to give Congress time to work out a permanent solution of the problem, Senator Borah, of Idaho, told the Senate to-day that he knew the trainmen represented by the brotherhood chiefs would not have gone out had Congress given any assurance of its intention to proceed with the consideration of legislation pertaining to the labor situation.

"While I respect organized labor and believe in it, I am not afraid of it," said Borah. "I am afraid of it for the reason that I have confidence and faith in the great body of workingmen. It has been said that these leaders were powerless to withdraw this strike order; that they were not in a position to render ineffective the order which had been sent out. I will not here and now dispute that proposition. I may be in error. I do not want to pass judgment upon men so highly certified in character as the leaders of these organizations, although I have my own opinion as to that proposition."

Men Could Have Cancelled It.

"We seem to have overlooked the proposition that there were those who could have rendered nugatory that strike order, and that is the great body of men for whom these representatives are merely the agents."

"I will not join myself in an indictment against the Americanism of the men who operate these trains that they would not have terminated this strike as soon as they were assured that the Executive and Congress were entering in good faith on an investigation of this question. It is my candid opinion and I speak with some experience—that if Congress had passed a resolution at the time the President sent this matter to Congress, stating that it was entering upon a comprehensive discussion and consideration of this entire question in good faith, for the purpose of arriving at an intelligent conclusion, passing upon the right of each and all the parties to the controversy, and that we proposed to proceed with the consideration until it should be worked out to a fair conclusion for all parties, these men who are operating the trains of the country would have accepted and accepted the good faith of Congress."

Believes They Would Yield.

"Will you tell me that the men who now hold the respect of their neighbors, who are trusted with the property and lives of hundreds of thousands of our people, would not have accepted from the Executive of the United States and the great Congress the declaration that we were entering upon this matter with the fullest intent to solve it, and that they would not have postponed calamity?"

"No severer indictment could be drawn against the patriotism and character and intelligence of these men than to have said that, notwithstanding that they had this assurance from the great powers of the country, they decline to give the powers of the country time to pass upon this question and, rather than do so, enter into a state of anarchy. They would not have done so, and these men who say they were powerless to call off the strike are mistaken."

Facts Are Not Known.

"We are not permitted to know the facts. I would like to ask how legislators can legislate without facts upon which to form in opinion unless we assume that we legislate by reason of the dictation of another power."

"I want to know before I vote to increase freight rates—for that is what this means—what are the incomes of the corporations, how the money is to be obtained, and what does it do to the people I represent as well as to union labor. If we are up against the proposition that we are yielding to the dictation and direction of a body of men, indeed the Congress of the United States has met the crisis of its whole history. If, indeed, we are met here with a demand which we cannot postpone, which we must execute without information and, most of all, which we propose to execute without information, then indeed the spirit of the fathers has departed and the halo which has hung about this chamber through a century past will soon be dissolved."

What Will Laborers Say?

"What will the men on the tracks and in other positions on railroads whose duties are as responsible, and who perform an essential service in

day or on any other day. The President's signature is required."

"Are you satisfied?" he was asked. "I never knew but one man who was really satisfied, and he was dead."

The union official was then asked to say something about the railroads' objection to the eight-hour law, namely, that it was class legislation, confiscatory and perhaps unconstitutional.

"Denies It's Class Legislation." "It is class legislation," he said; "it is legislation for a class of men engaged in a certain pursuit. Congress is authorized to legislate only for classes engaged in interstate commerce. It can't be charged that they voted for class legislation if they voted for those engaged in interstate commerce. It is over whom their jurisdiction is conferred, not the fact that they are engaged in interstate commerce. There is nothing more confiscatory in this from our standpoint than for a board of directors to fix a wage for a high official. As for the unconstitutionality of the act, that's like the Irishman in jail. They told him he couldn't be put in jail, but he was there. You say Congress can't pass a law governing wages. Well, say Congress has passed a wage law to-day."

"Suppose the law should be declared unconstitutional?"

"Then the organizations would take their own means."

When the general committee and the four brotherhood chiefs had decided to-night to send out the message rescinding the strike order Mr. Garretson said:

"The strike order has been rescinded. We had first decided not to send out the call until the bill had been signed to-morrow. But we were assured to-night that the President would sign the bill and we acted in order to avoid possible difficulties of distributing the messages on Sunday. There will be no strike on Monday morning."

Mr. Garretson construed the emergency law passed by Congress to-day to include every man, union and non-union, connected with the movement of trains. In his judgment, he said, it included telegraphers and switchmen as well as engineers, firemen, conductors and trainmen. As for the amendment suggested by Senator La Follette, who feared interference with the sixteen-hour law, Mr. Garretson declared:

"We could well afford to trade the sixteen-hour law for this one."

"Organized labor has its eyes on Washington. It demands settlement of railroad situation fair to all parties. It will not stand for compulsory arbitration or involuntary servitude either during or after legislation. Legislation giving eight-hour day without such conditions should be positive."

"Refuses To Be a Slave."

Senator Sherman declared that neither would he tolerate servitude, and he didn't intend to become the slave of a certain class in this country, whether it was the organized labor class or the employers' class.

"I will not serve as a Senator," he continued, "in servitude to a portion of the American people. If I cannot be a Senator I would rather be a dog and bay the moon."

"There are too many in this body and elsewhere to-day baying the moon. They think Gompers is the man in the moon."

"Arbitration is abandoned, it is thrown to the four quarters of the earth, at a time when a crisis, when a deliberate solution ought to be the choice of all men. I do not believe in surrendering at this crisis to the demand of 400,000 men who are standing with time watches in their hand and demanding instant legislation from Congress."

"Why haven't you included the employees of electric lines? Why not include all employees in interstate commerce, if your proposition is a good one? Why grant it only to those who have a gun in your face?"

"This legislation we are about to pass is the price of a perfidious peace," said Senator Sterling, of South Dakota. "The highwayman says 'stand and deliver.' If Congress yields it is a national humiliation. I, for one, refuse to be stampeded, believing in the right of Congress to deliberate, and will not be forced into supporting this measure, however imminent and threatening this strike may be. The strike is a great evil, but the far greater evil would be that Congress should be dragged into passing this measure before midnight."

Strike Better Than Slavery.

"A strike might cause great inconvenience, some distress and some loss of property, and the price the American people would pay for it would be a heavy burden for a time. But the liberty that would ensue without this legislation would be worth all the cost."

"I, for one, refuse to be stampeded. I believe that Congress should act deliberately, no matter how imminent the strike may be. We are not acting in accord with the sense of fairness and the judgment of the American people."

Senator Hastings pointed out that the passage of the bill to-day did not settle the question.

"It will not down," he said. "If it is not solved it will come up again and again. We will not have time for this at the short session of Congress. The program for that session is already outlined, and includes the conservation measure, which will require considerable debate, as well as the regular appropriation measures."

Senator Norris attacked the bill because it did not include punitive overtime. "There is nothing in this measure," he said, "to make the eight-hour day it prescribes effective. There is nothing to make the working men longer than eight hours unprofitable to the railroads."

Senator Norris declared, however, that the Interstate Commerce Commission should fix the wages of the men as well as the freight rates.

"The Interstate Commerce Commission should also have the power to fix the salaries of the high railroad officials," he declared, "for the money they pay these men comes just as surely from the shippers and consumers as does the money to pay the trainmen. I don't believe any railroad president is earning \$100,000 a year, though I understand some of them are getting more than that."

"Whenever an increase, either in the pay of the men or of the officials, is proposed, it should be necessary for an application to be filed with the Interstate Commerce Commission, and shipper should be given the right to come just as they do now against an advance in the freight rates."

Senator Oliver said he had received hundreds of telegrams opposing the increase in pay to the brotherhoods and only twenty-nine telegrams in favor of the raise. Of these twenty-nine, he said, most had urged that the raise was unfair in that it did not include other employees.

ROADS UNDECIDED ON TEST OF LAW

Executives Believe That Compulsory Arbitration Will Come.

(From a Staff Correspondent of The Tribune.)

Washington, Sept. 2.—Whether the railroads will attempt court action to declare the eight-hour law unconstitutional remains to be seen. They are

discussing that question now, but they have months to think it over. None of the executives who remained in Washington for the finish of the three weeks' negotiations would comment on the action of Congress. They said simply that it spoke for itself. The railroads are satisfied, however, that the debate in both houses of Congress demonstrated one thing as clearly as the railroads could hope to have it demonstrated to the whole country, namely, that the situation just concluded shall not menace the country again. The railroad executives expect that this assurance of the future will take one of four forms. They believe that Congress, perhaps not in its short session, but in its next long session, at any rate, will be compelled to provide for compulsory investigation, compulsory arbitration, a permanent wage commission, or a law similar to the Underwood amendment, giving the Interstate Commerce Commission power over wages of railroad employees, as well as over freight rates.

derwood amendment, giving the Interstate Commerce Commission power over wages of railroad employees, as well as over freight rates.

RAILROADS CANCEL FREIGHT EMBARGOES

Eastern Lines Issue Orders When Strike Is Called Off.

Philadelphia, Sept. 2.—After the officials of the Pennsylvania Railroad had been notified that the strike had been called off, orders were telegraphed throughout the system to-night lifting the embargo on freight.

Boston, Sept. 2.—The Boston & Maine Railroad announced to-night that it had

lifted the embargo on freight made last Tuesday afternoon because of the threatened strike.

Baltimore, Sept. 2.—The Baltimore and Ohio began to-night cancelling all embargoes. The Western Maryland Railroad also announced that its embargoes would be lifted immediately.

Girl's Tenth Effort to Die Fails.

Margaret Nyd was found unconscious from gas yesterday in her room at 64 West Ninety-third Street, two days after Judge Rosalsky had suspended sentence upon her in General Sessions for a similar attempt. Her sister declared it was the tenth time the young woman had tried to die within a year. It is believed a Knickerbocker Hospital, where she was taken, that Miss Nyd will recover.

Open Daily Until 6 P. M.
Open All Day Saturday.

Franklin Simon & Co.

Fifth Avenue, 37th and 38th Streets

Announce for Tuesday, Sept. 5th
The Opening of a New

Paris Millinery Shop

An exclusive representation of the latest and most authoritative Paris Millinery for Autumn and Winter, by such world famous Paris artists as:

Maria Guy	Jeanne Lanvin	Georgette
Marie Lancret	Susanne Talbot	Maison Lewis
Caroline Reboux	Mary & Annie	Evelyn Varon
A. Groult	Adrienne	Odette
Leontine	Jeanne Duc	Lucie Hamar

Among the many models

Georgette's Paisley draped Hat	Lewis's chic close fitting veil Hat
Marie Lancret's velvet Chinese Hat	Jeanne Duc's iridescent Hat
Lewis's taupe ostrich Hat	Susanne Talbot's rolling brim Hat
Odette's Hat, Collarette and Purse Set of Scotch mole and taffeta	

Just Received via S. S. Lafayette

Original Paris Models

Women's Suits, Coats, Gowns and Waists

An extensive importation of the masterpieces of each artist, personally selected by our Paris representatives.

Women's Suit Shop—Original Paris Models by

Beer	Drecoll	Jenny
Lanvin	Doeuillet	Premet
Bernard	Cheruit	Brandt
Martial et Armand		Maurice Mayer

Women's Gown Shop—Original Paris Models by

Doeuillet	Jenny	Drecoll
Bernard	Paquin	Brandt
Martial et Armand		Georgette

Women's Coat Shop—Original Paris Models by

Beer	Premet	Jenny
Paquin	Lanvin	Bernard
Maurice Mayer	Martial et Armand	Doeuillet

Women's Waist Shop—Original Paris Models by

Premet	Martial et Armand	Elise Poirer
Burel	Maurice Mayer	Tronche
Carlot	Pouillot	Christiane

A Store of Individual Shops

For Women, Misses, Girls, Boys and Infants

J.M. GIDDING & CO.

Fifth Ave. at Forty Sixth St.

announce

Additional Importations

Practically every arriving Steamer brings new Modes direct from the Fashion-Creators of Paris

Shipments received via S.S. Chicago-Lafayette-La Touraine & Rochambeau are already assembled, presenting an extensive & representative review of

What the Fall Modes will be.

Gowns Wraps Coats Suits Blouses Millinery

For Immediate Selection, Or made to Special Order